

Exhibit 5 - Text of the Proposed Rule Change  
Underlining indicates additions; [Brackets] indicate deletion

II. Complex Order Fees and Rebates

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**Maker Fees**

Market Participant	Maker Fee for Select Symbols	Maker Fee for Non-Select Symbols	Maker Fee for Select Symbols when trading against Priority Customer <sup>(5)</sup>	Maker Fee for non-Select Symbols when trading against Priority Customer <sup>(5)</sup>
Market Maker	\$0.10	\$0.20	[\$0.43] <u>\$0.46<sup>(3)</sup></u>	\$0.85
Non-ISE Market Maker (FarMM)	\$0.20	\$0.20	[\$0.44] <u>\$0.47</u>	\$0.87
Firm Proprietary / Broker-Dealer	\$0.10	\$0.20	[\$0.44] <u>\$0.47</u>	\$0.87
Professional Customer	\$0.10	\$0.20	[\$0.44] <u>\$0.47</u>	\$0.87
Priority Customer	\$0.00	\$0.00	\$0.00	\$0.00

**Taker and other Fees**

Market Participant	Taker Fee for Select Symbols <sup>(5)</sup>	Taker Fee for Non-Select Symbols <sup>(5)</sup>	Fee for Crossing Orders <sup>(6)(10)</sup>	Fee for PIM Orders of 100 or Fewer Contracts <sup>(8)(9)</sup>	Fee for Responses to Crossing Orders for Select Symbols	Fee for Responses to Crossing Orders for non-Select Symbols
Market Maker	[\$0.43] <u>\$0.46<sup>(3)</sup></u>	\$0.85	\$0.20	\$0.05	\$0.47	\$0.90
Non-ISE Market Maker (FarMM)	[\$0.44] <u>\$0.47</u>	\$0.87	\$0.20	\$0.05	\$0.47	\$0.95
Firm Proprietary / Broker-Dealer	[\$0.44] <u>\$0.47</u>	\$0.87	\$0.20	\$0.05	\$0.47	\$0.95
Professional Customer	[\$0.44] <u>\$0.47</u>	\$0.87	\$0.20	\$0.05	\$0.47	\$0.95
Priority Customer	\$0.00	\$0.00	\$0.00	\$0.00	\$0.47	\$0.95

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3. [Reserved.] This fee is \$0.43 per contract for Market Makers with total affiliated Priority Customer Complex ADV of 150,000 or more contracts. All eligible volume from affiliated Members will be aggregated in determining total affiliated Priority Customer Complex ADV, provided there is at least 75% common ownership between the Members as reflected on each Member's Form BD, Schedule A. For purposes of determining Priority Customer Complex ADV, any day that the complex order book is not open for the entire trading day may be excluded from such calculation; provided that the Exchange will only remove the day for members that would have a lower ADV with the day included.

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